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|---|--|---|--|
| FORM PTO-1390<br>(REV. 01-2003)   |  | US DEPARTMENT OF COMMERCE PATENT & TRADEMARK OFFICE |  |
| <b>TRANSMITTAL LETTER TO THE UNITED STATES<br/>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br/>CONCERNING A FILING UNDER 35 U.S.C. 371</b>   |  | ATTORNEY'S DOCKET NUMBER<br>126418                  |  |
| INTERNATIONAL APPLICATION NO.<br>PCT/JP2004/009001  |  | INTERNATIONAL FILING DATE<br>June 25, 2004          |  |
|   |  | PRIORITY DATE CLAIMED<br>June 27, 2003              |  |
| TITLE OF INVENTION<br>PROCESS FOR PRODUCING INDOLE COMPOUND   |  |   |  |
| APPLICANTS FOR DO/EO/US<br>Yasuhiro SAKURAI; Tomohisa UTSUNOMIYA; Norio TANAKA  |  |   |  |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:   |  |   |  |
| 1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.   |  |   |  |
| 2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.  |  |   |  |
| 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. |  |   |  |
| 4. <input type="checkbox"/> The US has been elected (Article 31).   |  |   |  |
| 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))  |  |   |  |
| a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).   |  |   |  |
| b. <input type="checkbox"/> has been communicated by the International Bureau.  |  |   |  |
| c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).  |  |   |  |
| 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))   |  |   |  |
| a. <input type="checkbox"/> is attached hereto.   |  |   |  |
| b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).  |  |   |  |
| c. <input type="checkbox"/> The International Application was filed in English.   |  |   |  |
| 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))  |  |   |  |
| a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).  |  |   |  |
| b. <input type="checkbox"/> have been communicated by the International Bureau.   |  |   |  |
| c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.   |  |   |  |
| d. <input type="checkbox"/> have not been made and will not be made.  |  |   |  |
| 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).   |  |   |  |
| 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).  |  |   |  |
| 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).                   |  |   |  |
| <b>Items 11 to 20 below concern document(s) or information included:</b>  |  |   |  |
| 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.  |  |   |  |
| 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.  |  |   |  |
| 13. <input type="checkbox"/> A preliminary amendment.   |  |   |  |
| 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.   |  |   |  |
| 15. <input type="checkbox"/> A substitute specification.  |  |   |  |
| 16. <input type="checkbox"/> A power of attorney and/or change of address letter.   |  |   |  |
| 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.   |  |   |  |
| 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).  |  |   |  |
| 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).  |  |   |  |
| 20. <input checked="" type="checkbox"/> Notification of Acceptance and Filing Receipt Status Check.   |  |   |  |

|   |                     |   |             |                                    |    |
|---|---------------------|---|-------------|------------------------------------|----|
| U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5)<br>10/562,115  |                     | INTERNATIONAL APPLICATION NO.<br>PCT/JP2004/009001  |             | ATTORNEY'S DOCKET NUMBER<br>126418 |    |
| 21. <input type="checkbox"/> The following fees are submitted:  |                     |   |             | <b>CALCULATIONS</b>                |    |
|   |                     |   |             | <b>PTO USE ONLY</b>                |    |
| <b>BASIC NATIONAL FEE (37 CFR 1.492(a)):</b> ..... \$ 300.00  |                     |   |             | \$                                 |    |
| <b>SEARCH FEE (37 CFR 1.492(b)(1)-(3)):</b>   |                     |   |             | \$                                 |    |
| International preliminary examination report or written opinion prepared by the USPTO as IPEA or ISA and favorable as to novelty, inventive step, and industrial applicability for all claims presented in the application entering the national stage ..... \$ 0.00  |                     |   |             |                                    |    |
| International search fee (37 CFR 1.445(a)(2)) paid to USPTO as ISA ..... \$ 100.00  |                     |   |             |                                    |    |
| International search report provided to USPTO no later than the time at which the search fee is paid ..... \$ 400.00  |                     |   |             |                                    |    |
| All situations not provided for above ..... \$ 500.00   |                     |   |             |                                    |    |
| <b>EXAMINATION FEE (37 CFR 1.492(c)(1)-(2)):</b>  |                     |   |             | \$                                 |    |
| International preliminary examination report or written opinion prepared by the USPTO as IPEA or ISA and favorable as to novelty, inventive step, and industrial applicability for all claims presented in the application entering the national stage ..... \$ 0.00  |                     |   |             |                                    |    |
| All situations not provided for above ..... \$ 200.00   |                     |   |             |                                    |    |
| Surcharge of \$130.00 for furnishing the search fee, the examination fee or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).   |                     |   |             | \$                                 |    |
| <b>APPLICATION SIZE FEE</b>   |                     |   |             |                                    |    |
| Total pages - 100 =   | ÷ 50                | = †   | x 250 =     | \$                                 |    |
| †round up to next integer   |                     |   |             |                                    |    |
| <b>CLAIMS</b>   | <b>NUMBER FILED</b> | <b>NUMBER EXTRA</b>   | <b>RATE</b> | \$                                 |    |
| TOTAL CLAIMS  | - 20                | =   | x 50.00 =   | \$                                 |    |
| INDEPENDENT CLAIMS  | - 3                 | =   | x 200.00 =  | \$                                 |    |
| MULTIPLE DEPENDENT CLAIM(S)(if applicable)  |                     |   | + 360.00 =  | \$                                 |    |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>  |                     |   |             | \$                                 |    |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.  |                     |   |             | \$                                 |    |
| <b>SUBTOTAL =</b>   |                     |   |             | \$                                 |    |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).   |                     |   |             | \$                                 |    |
| <b>TOTAL NATIONAL FEE =</b>   |                     |   |             | \$                                 |    |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +  |                     |   |             | \$                                 |    |
| <b>TOTAL FEES ENCLOSED =</b>  |                     |   |             | \$                                 |    |
|   |                     |   |             | Amount to be refunded:             | \$ |
|   |                     |   |             | charged:                           | \$ |
| a. <input type="checkbox"/> Check No. _____ in the amount of \$ _____ to cover the above fees is enclosed.<br>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.<br>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>15-0461</u> . A duplicate copy of this sheet is enclosed.<br>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO 2038. |                     |   |             |                                    |    |
| <b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.   |                     |   |             |                                    |    |
| SEND ALL CORRESPONDENCE TO:<br>OLIFF & BERRIDGE, PLC<br>Customer Number: 25944  |                     |   |             |                                    |    |
| Date <u>May 23, 2006</u>  |                     | NAME: James A. Oliff<br>REGISTRATION NUMBER: 27,075<br>NAME: John W. Fitzpatrick<br>REGISTRATION NUMBER: 41,018 |             |                                    |    |

|   |                     |  |             |   |    |
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| TOTAL CLAIMS  | - 20                | =  | x 50.00 =   | \$  |    |
| INDEPENDENT CLAIMS  | - 3                 | =  | x 200.00 =  | \$  |    |
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| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.  |                     |  |             | \$  |    |
| <b>SUBTOTAL =</b>   |                     |  |             | \$  |    |
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| <b>TOTAL FEES ENCLOSED =</b>  |                     |  |             | \$  |    |
|   |                     |  |             | Amount to be refunded:  | \$ |
|   |                     |  |             | charged:  | \$ |
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| Date <u>May 23, 2006</u>  |                     |  |             | NAME: James A. Oliff<br>REGISTRATION NUMBER: 27,075<br><br>NAME: John W. Fitzpatrick<br>REGISTRATION NUMBER: 41,018 |    |

**PATENT APPLICATION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Yasuhiro SAKURAI et al.

ATTN: **Mail Stop PCT**

Application No.: 10/562,115

Docket No.: 126418

Filed: December 23, 2005

For: PROCESS FOR PRODUCING INDOLE COMPOUND

**NOTIFICATION OF ACCEPTANCE AND FILING RECEIPT STATUS REQUEST**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450


Sir:

The above-captioned patent application entered the National Phase on December 23, 2005. The 35 U.S.C. 371 requirements were completed on January 19, 2006.

The original Notification of Acceptance and Filing Receipt have not yet been received. It is respectfully requested that the original Notification of Acceptance and Filing Receipt be immediately forwarded to the attorneys of record at the address set forth below.

If there are any questions regarding this matter, please contact the undersigned at the telephone number set forth below.

Respectfully submitted,

  
James A. Oliff  
Registration No. 27,075

John W. Fitzpatrick  
Registration No. 41,018

JAO:JWF/jdb

Date: May 23, 2006

**OLIFF & BERRIDGE, PLC**  
**P.O. Box 19928**  
**Alexandria, Virginia 22320**  
**Telephone: (703) 836-6400**